

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH VOLFMAN,	:	
Plaintiff,	:	
-against-	:	23 Civ. 10854 (LGS)
MARI MAKAN LLC d/b/a WAYAN, et al.,	:	<u>ORDER</u>
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference is scheduled for February 7, 2024.

WHEREAS, Defendant Mari Makan LLC d/b/a Wayan (“Mari Makan”) has appeared but Defendant Rjhwong, LLC has not.

WHEREAS, no significant issues were raised in the joint letter or proposed case management plan prepared by Plaintiff and Defendant Mari Makan. It is hereby

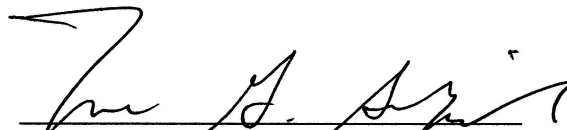
**ORDERED** that the parties shall refile the proposed case management plan with a signature from both Plaintiff’s counsel and Defendant Mari Makan’s counsel on the fifth page by **February 6, 2024**. It is further

**ORDERED** that Plaintiff shall file proof of service on Defendant Rjhwong, LLC by **February 6, 2024**. It is further

**ORDERED** that the February 7, 2024, initial pretrial conference is **CANCELLED**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan and scheduling order will issue after it is resubmitted with the proper signatures. The parties’ attention is directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further

**ORDERED**, regarding settlement discussions, the parties' request for a referral to mediation is **GRANTED**. The referral will issue in a separate order. The parties are apprised that participation in mediation does not provide cause to stay discovery. The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances.

Dated: February 2, 2024  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**